

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>LARRY FLOYD,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 07 C 7239</b>
	)	
<b>TRANSUNION CONSUMER SOLUTIONS,</b>	)	<b>Judge Conlon</b>
	)	
<b>Defendant.</b>	)	<b>Magistrate Judge Valdez</b>

**DEFENDANT TRANS UNION LLC'S ANSWER AND DEFENSES  
TO PLAINTIFF'S COMPLAINT**

Defendant Trans Union LLC (incorrectly sued as TransUnion Consumer Solutions)  
("Trans Union"), by its attorneys, DLA Piper US LLP, hereby answers Plaintiff's Complaint and  
asserts its defenses as follows:

- A. I, Larry Floyd bring this complaint for injunctive and declaratory relief pursuant to section 611 [15 USC 1681i(a)] of the Fair Credit Reporting Act in that Trans Union, LLC has place [sic.] adverse action on my credit and has refuse [sic.] to check for completeness and accuracy of the information that is in there [sic.] repository.<sup>1</sup>

**ANSWER: Trans Union admits that Plaintiff purports to bring this action under the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.* ("FCRA"). Trans Union denies any implication that Trans Union violated any provision of the FCRA, and Trans Union further denies that it is liable to Plaintiff. Trans Union is without knowledge or information sufficient to form a belief as to the truth of the remaining averments of this paragraph.**

---

<sup>1</sup> Some of the paragraphs of Plaintiff's Complaint were not numbered. For those paragraphs, Trans Union has used letter designations beginning with "A."

- (1) July 7, 200 Chapter 7 Bankruptcy account #200\*\*\*\*\*<sup>2</sup> amount \$0 incorrectly reported in credit report.

**ANSWER: Trans Union is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.**

- (2) Mortgage account #466\*\*\*\*\* amount \$868 incorrectly reported on credit report.

**ANSWER: Trans Union is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.**

- (3) December 2006 account # 748xxxx amount \$665 incorrectly reported on credit report.

**ANSWER: Trans Union is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.**

- (4) Jan 2006 account 5xxxx amount \$908 incorrectly reported on credit report.

**ANSWER: Trans Union is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.**

- (5) Recent slow payment history, and insufficient number of satisfactory trades.  
Lack of sufficient installment credit history.

---

<sup>2</sup> Plaintiff only redacted certain account numbers in his Complaint. Plaintiff's original redactions are reflected by an "x," while Trans Union's redactions are reflected by an "\*."

**ANSWER:** Trans Union is without knowledge or information sufficient to form a belief as to the truth of the averments of this paragraph.

B. I AM REQUESTING THAT THE COURTS COMPEL TRANS UNION, LLC TO REMOVE ALL OF THE ABOVE LISTED DEROGATORY [sic].

**ANSWER:** Trans Union denies any implication that Trans Union violated any provision of the FCRA, and Trans Union further denies that it is liable to Plaintiff or that Plaintiff is entitled to the relief that he has requested. Trans Union is without knowledge or information sufficient to form a belief as to the truth of the remaining averments of this paragraph.

### **DEFENDANT TRANS UNION LLC'S DEFENSES**

#### **FIRST DEFENSE**

Any purported damages to Plaintiff, which Trans Union continues to deny, are results of the acts or omissions of entities over whom Trans Union has neither control nor responsibility.

#### **SECOND DEFENSE**

Plaintiff's Complaint fails to set forth facts sufficient to state a claim upon which relief may be granted against Trans Union, and further fails to state facts sufficient to entitle Plaintiff to the relief sought, or to any relief whatsoever, from Trans Union.

#### **THIRD DEFENSE**

Trans Union reserves the right to raise additional defenses to which it may be entitled which may be developed during the course of discovery.

**WHEREFORE**, Defendant Trans Union LLC respectfully requests that this Honorable Court deny the relief requested in Plaintiff's Complaint, dismiss the action in its entirety, grant Trans Union its costs of suit including reasonable attorneys' fees, and order such other and different relief as the Court deems just.

Date: December 31, 2007

Respectfully submitted,

**TRANS UNION LLC**

By: s/ Sharon R. Albrecht  
One of Its Attorneys

Albert E. Hartmann (ARDC #06256064)  
Sharon Albrecht (ARDC #6288927)  
**DLA PIPER US LLP**  
203 North LaSalle Street  
Suite 1900  
Chicago, Illinois 60601  
312-368-4000

**CERTIFICATE OF SERVICE**

I, Sharon R. Albrecht, an attorney, depose and state that on December 31, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. I also caused a true and correct copy of the foregoing to be served on the following party at the indicated address by First Class United States Mail:

Larry Floyd  
815 North Harlem Avenue  
Oak Park, IL 60302

s/ Sharon R. Albrecht  
Sharon R. Albrecht